

# Notice of Allowability

Application No.

10/673,489

Applicant(s)

OFFORD ET AL.

Examiner

Abdel A. Mohamed

Art Unit

1654

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Preliminary amendment and remarks filed 09/30/03.
2. ☒ The allowed claim(s) is/are 3 and 47-65.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 07/043,530.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/30/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DETAILED ACTION**

**ACKNOWLEDGEMENT OF PRIORITY, PRELIMINARY AMENDMENT, IDS, STATUS OF THE APPLICATION AND CLAIMS**

1. This application is a Continuation Application No. 08/241,687 having a filing date of 05/12/1994, now U.S. Patent No. 6,673,347, which is a Continuation of Application No. 08/089,051, having a filing date of 08/06/1993, now abandoned, which is a Continuation of Application No. 07/866,262, having a filing date of 04/10/1992, now abandoned, which is a Continuation of Application No. 07/742,159 having a filing date of 08/01/1991, now abandoned, which is a Continuation of Application No. 07/506,545 having a filing date of 04/05/1990, now abandoned, which is a Continuation of Application No. 07/380,738 having a filing date of 07/17/1989, now abandoned, which is a Continuation of Application No. 07/220,196 having a filing date of 07/18/1988, now abandoned, which is a Continuation of Application No. 07/043,530 having a filing date of 04/28/1987, now abandoned. Acknowledgment is made of Applicant's claim for priority based on United Kingdom Application No. 86.10551 having a filing date of 04/30/1986. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119, which papers have been placed of record in the file of parent application Serial No. 07/043,530. With respect to the Information Disclosure Statements (IDS) and Form PTO-1449 filed 09/30/03, the references cited therewith on Form PTO1449 are not provided in the instant application. However, as per Applicant's request, since the cited references were considered previously in the parent application Serial Nos. 08/241,687; 08/089,051; 07/866,262; 07/742,159; 07/506,545; 07/380,738; 07/220,196 and

07/043,530; pursuant to 37 CFR § 1.98(d), the references cited in Form PTO-1449 in this application have been considered and signed as requested by Applicant. In view of Applicant's request claim 3 has been amended, claims 1, 2 and 4-46 have been canceled and claims 47-65 have been added. Claims 3 and 47-65 are now pending in the application.

### **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance: The product/composition has been allowed in parent application Serial No. 08/241,687, now U.S. Patent No. 6,673,347. One of ordinary skill in the art at the time the invention was made would not have envisioned to produce the specific product/composition allowed by condensation process in the manner claimed in the instant invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

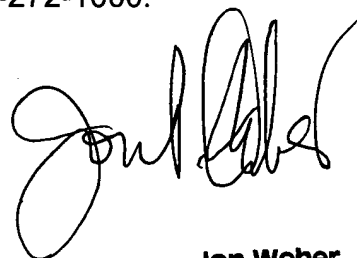
### **CONCLUSION AND FUTURE CORRESPONDANCE**

3. Claims 3 and 47-65 are allowed.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdel A. Mohamed whose telephone number is (571) 272 0955. The examiner can normally be reached on First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tsang Cecilia can be reached on (571) 272 0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Jon Weber', with a stylized, cursive script.

**Jon Weber**  
**Supervisory Patent Examiner**

 Mohamed/AAM  
May 22, 20067